MBTA Designer Selection Qualification

Directive Form P-09-002

Rev. 2-18-2014

INSTRUCTIONS

This MBTA P-09-002 Form is to be submitted concurrently with solicited Statements of Qualifications. Failure to submit this form by the required due date as advertised in the solicitation may result in the Consultant qualifications statement being deemed unresponsive. **NOTE: If the Consultant has already submitted this form for prior procurements, please indicate on the Form below the date of most recent submittal and include only REVISED or ADDITIONAL information at this time.**
An original and one copy of the form are to be submitted to the following address. This form is to be submitted separately from the Qualifications Statement advertised in the solicitation.

Ms. Margaret H. Hinkle
Director of Contract Administration
MBTA
100 Summer Street, Suite 1200
Boston, MA 02110

Prime Consultant Firm Name	Principal Contact Name	Principal Telephone and Email	Street Address	City	State	Zip

MBTA Project Name on which Consultant is submitting Qualifications

Most Recent Submission of this Directive Form P-09-002 Date	Name of Project

Block 1

Terminations and Incomplete Projects During the Last 7 Years

(Use additional pages as needed.)

Project Name and Location	Description of Services	Name and Address of Project Owner	Project Start and End Dates	Estimated Contract Value	% Complete	Reason for Failure to Complete or Termination

Block 2

Legal Proceedings, Convictions and Fines within the Past 5 Years

(Use additional pages as needed.)

Litigation would include, for example, violation of public bid laws, negligence in design or contract administration, gross or willful misconduct or fraud in the use of minority firms.

Project Name and Location	Description of Services	Name and Address of Project Owner	Description of Legal Proceedings, Convictions and Fines

Block 3

Settlement Agreements and Compliance Agreements

(Use additional pages as needed.)

Description of Agreement, Including Parties to Agreement (Include Copies of Compliance Agreements.)	Current Key Employees that Participated in Agreement Matters	Status of Compliance and Description of Measures Undertaken to Respond to Agreement Issues

Block 4

Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Responsibility Matters

(a)(1) The undersigned firm certifies to the best of its knowledge and belief, that-
(i) The firm and /or any of its principals:

(A) ___ **Are** ___ **Are not** presently debarred, suspended, proposed for debarment, or declared ineligible for the award of contracts by any state or federal agency;

(B) ___ **Have** ___ **Have not** within a ten year period preceding this date, been convicted of or had a civil judgment rendered against them for: commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) contract or subcontract; violation of Federal or state antitrust statutes relating to the submission of offers; or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, or receiving stolen property; and

(C) ___ **Are** ___ **Are not** presently indicted for, or otherwise criminally or civilly charged by a governmental entity with, commission of any of the offenses enumerated in paragraph (a)(1)(i)(B) of this provision.

(ii) The undersigned firm ___ **has** ___ **has not**, within a seven year period preceding this date, had one or more contracts terminated by default by any Federal, state or local agency.

(2) "Principals", for the purposes of this certification, means officers; directors; owners; partners; and persons having primary management or supervisory responsibilities within a business entity (e.g., general manager; plant manager; head of a subsidiary, division, or business segment, and similar positions).

This certification concerns a matter within the jurisdiction of an agency of the Commonwealth of Massachusetts and the making of a false, fictitious or fraudulent certification may render the maker subject to prosecution under M.G.L. c. 266, §§ 67A and 67B; and M.G.L. c. 12, §§ 5A-5O.

(b) The undersigned shall provide immediate notice to MBTA if, at any time prior to the award of a contract the undersigned learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
(c) A certification that any of the items in paragraph (a) of this provision exists will not necessarily result in the withholding of prequalification or a contract award. However, the certification will be considered in connection with a determination of the firm's responsibility. Failure of the undersigned to furnish a certification or provide such additional information as requested by MBTA may render the firm, or the firm's qualifications, nonresponsive.
(d) Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render, in good faith, the certification required by paragraph (a) of this provision. The knowledge and information of the undersigned is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
(e) The certification in paragraph (a) of this provision is a material representation of fact upon which reliance will be placed in the qualification process and in making future contract awards. If it is later determined that the undersigned knowingly rendered an erroneous certification, in addition to other remedies available to MBTA, MBTA may terminate the firm's qualification status and terminate any contracts with the firm for default.

As of this date: _____ **I certify that the above information is true, correct and complete.**

Name of Firm	**Name and Title of Authorized Representative**	**SIGNATURE**

Block 5	**Additional Information - Commonwealth Evaluations** **Provide copies of all evaluations of work performed by any agency, authority or department of the Commonwealth within the past five years that have been provided to the firm.** (Use additional pages as needed.)

As of this date: _____ **I certify that the foregoing is a true statement of facts.**

Name of Firm	**Name and Title of Authorized Representative**	**SIGNATURE**